

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WENDY PEARSON, as personal representative
of the Estate of Carlos Roberto Molina, deceased,

Plaintiff,

v.

F/V OMNISEA, its tackle, equipment,
appurtenances and gear, *In Rem*; and UNISEA,
INC., as owners and operators, *In Personam*,

Defendants.

CASE NO. C97-1084C

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on Defendants' Motion to Reopen Case (Dkt. Nos. 33, 34, and 35) and the in-court hearing held today.

Unless there is an independent basis for jurisdiction, federal courts generally lack jurisdiction to enforce settlement agreements. *Kokkonen v. Guardian Life Ins. Co.*, 511 U.S. 375, 381–82 (1994).

The *F/V Omnisea*—an *in rem* maritime defendant over which a federal court has exclusive jurisdiction—was not arrested in this case; nor will it be used to satisfy the settlement agreement. The Court, therefore, has no independent basis for jurisdiction and cannot enforce the parties' settlement

1 agreement.

2 Accordingly, Defendants' Motion is DENIED.

3 DATED this 28th day of February, 2006.

4 BRUCE RIFKIN, Clerk of Court

5 By /s/ C. Ledesma

6 Deputy Clerk